

6



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,972	02/21/2002	Steven P. Hiebert	10017067 -1	1591

7590 06/29/2005

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

KISS, ERIC B

ART UNIT PAPER NUMBER

2192

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/080,972

Applicant(s)

HIEBERT, STEVEN P.

Examiner

Eric B. Kiss

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

*Handwritten initials*

### **DETAILED ACTION**

1. The reply filed 13 April 2005 has been received and entered. Claims 1-19 are pending.

#### ***Response to Amendment***

2. Applicant's clarifying remarks and amendments to the specification appropriately address the objections to the specification as detailed in the previous Office action. Accordingly, these objections are withdrawn.

#### ***Response to Arguments***

3. Applicant's arguments, see pp. 9-12, filed 13 April 2005, with respect to the rejection(s) of claim(s) 1-19 under 35 U.S.C. §102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of the prior art of record, namely the XSLT specification from W3C (submitted by Applicant in the Information Disclosure Statement filed concurrently with the application), as set forth below.

#### ***Claim Objections***

4. Claim 8 is objected to because of the following informalities: "the interpreted instructions" in line 4 should presumably read --the interpretive instructions--, which is in line with Applicant's recent amendment to p. 11 of the specification. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by “XSL Transformation (XSLT) Version 1.0,” W3C Recommendation, 16 November 1999 (art of record).

Claims 1-9, in their present form, appear to recite merely an implementation of the XSLT specification. In particular, the XSLT specification describes a system of specifying (section 5.3) and applying (section 5.4) template rules (under general section 5), in which patterns (section 5.2) are matched in order to select nodes for transformation by templates. The matching of patterns, as described in the XSLT specification is the equivalent of the claimed limitations describing the interpreted instructions of the protocol transform (in each of claims 1-9), and the application of appropriate templates to transform each source node identified by the matched patterns (claim 5) is equivalent to the transforming steps using a transformation processor (an XSLT processor) to process interpretive instructions (templates), as described in each of claims 1-9. The pattern matching of the XSLT specification is transformation specific (claim 2; *i.e.*, the patterns map the specific nodes of the input document to the specific templates necessary to produce the specific output nodes), and the templates of the XSLT specification are transformation generic (claim 2), as more than one template may match a given node.

Art Unit: 2192

Associations may be drawn (claims 3 and 4), as described, for example, in section 12.1 of the XSLT specification. The specific steps in creating the output document (claims 6, 8, and 9) are described, for example, in section 7 of the XSLT specification. The creation of literal result (claim 8) elements is described, for example, in section 7.1.1 of the XSLT specification.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 10-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over “XSL Transformation (XSLT) Version 1.0,” W3C Recommendation, 16 November 1999 (art of record) in view of U.S. Patent Application Publication No. US 2002/0143823 (STEVENS).

As per claims 10-19, these are computer-readable media and systems substantially paralleling the method step limitations discussed above (claims 1-4). In addition to the disclosure applied above, The XSLT specification is intentionally silent on specific machine/medium implementations of the methods described therein. However, STEVENS teaches the use of such a medium and system in implementing a structured document transformation method (see, for example, pp. 12-13). Therefore, it would have been obvious to one of ordinary skill in the computer art at the time the invention was made to implement the

Art Unit: 2192

XSLT specification using known means, such as those provided by STEVENS. One would be motivated to do so to gain functional benefit from the specified transformations.

*Conclusion*

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Eric B. Kiss whose telephone number is (571) 272-3699. The Examiner can normally be reached on Tue. - Fri., 7:00 am - 4:30 pm. The Examiner can also be reached on alternate Mondays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Tuan Dam, can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature should be directed to the TC 2100 Group receptionist: 571-272-2100.

EBK/EBK  
June 22, 2005



TUAN DAM  
SUPERVISORY PATENT EXAMINER